

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended): A spinal implant, comprising:
at least two lateral members, said lateral members each being shaped to engage apophyseal-seal rings of opposing vertebrae when said lateral members are in an extended configuration, said lateral members each having a lateral side with a curved shape that coincides in shape to the apophyseal rings; and
a expansion mechanism coupled to said lateral members to extend said lateral members away from one another into said extended configuration at which said lateral members engage the apophyseal rings of the opposing vertebrae.
2. (Original): The implant of claim 1, wherein said expansion mechanism includes a shaft having threaded portions on opposite ends that threadedly engages said lateral members.
3. (Currently amended): A spinal implant, comprising:
at least two lateral members, said lateral members each being shaped to engage apophyseal seal rings of opposing vertebrae when said lateral members are in an extended configuration;
a expansion mechanism coupled to said lateral members to extend said lateral members away from one another into said extended configuration at which said lateral members engage the apophyseal rings of the opposing vertebrae;
wherein said expansion mechanism includes a shaft having threaded portions on opposite ends that threadedly engages said lateral members; and
~~The implant of claim 2,~~ wherein said shaft includes a gear positioned between said threaded portions for rotating said shaft.

Response to Office Action
Serial No. 10/792,331
Group Art Unit 3732
Attorney Docket No. 4002-3484
Page 2 of 7

4. (Original): The implant of claim 2, wherein said threaded portions are oppositely threaded and have equal thread pitch.

5. (Original): The implant of claim 1, further comprising a lock mechanism operable to lock said lateral members in said extended configuration.

6. (Original): The implant of claim 5, wherein said lock mechanism included lock cavities constructed and arranged to lock said lateral members in said extended configuration.

7. (Original): The implant of claim 5, wherein said lock mechanism includes a leaf spring.

8. (Original): The implant of claim 1, wherein at least one of said lateral members has a guide rail.

9. (Original): The implant of claim 8, wherein said guide rail has a dovetail cross-sectional shape.

10. (Original): The implant of claim 8, wherein said guide rail has an outer cutting edge constructed and arranged to cut the vertebrae during extension of said wings.

11. (Original): The implant of claim 1, further comprising a cage in which said lateral members are received.

12. (Currently amended): A method, comprising:

Response to Office Action
Serial No. 10/792,331
Group Art Unit 3732
Attorney Docket No. 4002-3484
Page 3 of 7

inserting a spinal implant in a compact configuration between opposing vertebrae that have apophyseal rings, wherein the implant has an expansion mechanism coupled between at least two wings; and

expanding the wings from one another in a lateral direction between the opposing vertebrae with the expansion mechanism to an expanded configuration at which the wings each engage the apophyseal rings of both the vertebrae.

13. (Original): The method of claim 12, wherein:
the expansion member includes a threaded shaft; and
said expanding includes rotating the threaded shaft.

14. (Original): The method of claim 12, further comprising locking the wings in the expanded configuration.

15. (Original): The method of claim 14, wherein:
the expansion member includes a shaft with a gear;
the implant includes a leaf spring; and
said locking includes engaging the leaf spring with the gear.

16. (Original): The method of claim 14, wherein:
the expansion member includes a shaft;
the lateral members have lock cavities; and
said locking includes sliding the shaft into the lock cavities.

17. (Original): The method of claim 12, further comprising:
securing the spinal implant to a spinal inserter prior to said inserting.

18. (Original): The method of claim 17, wherein said expanding includes expanding the wings with the inserter.

Response to Office Action
Serial No. 10/792,331
Group Art Unit 3732
Attorney Docket No. 4002-3484
Page 4 of 7